

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LOCALS 302 AND 612 OF THE
INTERNATIONAL UNIONS OF
OPERATING ENGINEERS
CONSTRUCTION INDUSTRY
HEALTH AND SECURITY FUND, et
al.,

Plaintiffs,

v.

MILLER CONSTRUCTION
COMPANY, LTD.,

Defendant.

No. 2:17-cv-00275-RAJ

ORDER

THIS MATTER comes before the Court on Plaintiffs' Motion to Dismiss Case with Prejudice. Dkt. No. 11. Having reviewed the motion, the complaint, the submissions of the parties, the relevant portions of the record, and the applicable law, the Court finds that this matter has been resolved and no issue remains for the Court's determination. This case is **DISMISSED with prejudice and without costs**¹. In the event settlement is not perfected, either party may move to reopen this case, provided

¹ Plaintiffs move that the Court dismiss this case with prejudice and order that Plaintiffs may seek additional damages based on a future audit of Defendant's records. The Court declines to rule on this issue, as the parties represent that settlement has been reached between the parties and no "case and controversy" remains for the Court to decide.

1 such motion is filed within 60 days of the date of this Order.

2 DATED this 9th day of April, 2018.

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7 The Honorable Richard A. Jones
8 United States District Judge
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